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Docket Administrator
Lucent Technologies Inc.
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EXAMINER

SING, SIMON P

ART UNIT PAPER NUMBER

2645

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/783,308

Applicant(s)

BENNO ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 2, 13 and 18 are objected to because of the following informalities:
“bridging an initiation signal from a caller with a voice link” is confusing. Examiner cannot understand why should a data signal (initiation signal) be bridged with a voice link, and what purpose is served for bridging these two different signals (voice and data).

Examiner interprets the “bridging” as for bridging a voice link between a calling party and a called party in the following office action.

2. Claims 11 and 12 are objected to because of the following informalities: the “second data session” should be changed to first data session since the second data session in claim 10 is for receiving the uniform (or universal) resource locator.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

Art Unit: 2645

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, 9-13, 15-22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Lund US 6,658,100.

3.1 Lund discloses a method for sending a uniform resource locator (URL) to a calling party, comprising:

transmitting the URL to the calling party in response to an initiation signal from the calling party (column 3, lines 30-45); and

establishing a voice link to a called party in response to the initiation signal from the calling party (see claim 6 of Lund).

3.2 Regarding claim 2, Lund teaches bridging the calling party with the called party to establish a voice link as discussed in claim 1 (it is inherent that the tandem switches 30 and 32 in figure 2 bridges the calling party (at SSP 24) and the called party (SSP 26) to establish a voice link).

3.3 Regarding claim 3, Lund teaches that the URL identifies a location for a multimedia content (a web page inherently contains graphics and text) (column 3, lines 46-49).

Art Unit: 2645

3.4 Regarding claim 4, Lund teaches establishing a first data session for downloading the multimedia content (column 3, lines 46-49).

3.5 Regarding claim 5, Lund teaches determining if the called party is subscriber (column 3, lines 41-45).

3.6 Regarding claim 6, Lund teaches looking up the called party in a database 44 of service subscribers (column 3, lines 41-45).

3.7 Regarding claim 7, Lund teaches selecting a called party's URL in the database (column 3, lines 41-45).

3.8 Regarding claim 9, Lund discloses a method for sending a uniform resource locator (URL) to a calling party, comprising:

receiving a uniform resource locator (URL) associated with the called party in response to an initiation signal from the calling party (column 3, lines 30-45); and

establishing a first data session in response to the received URL (column 3, lines 46-49).

3.9 Regarding claim 10, Lund teaches establishing a second data session for receiving the URL (column 3, lines 41-45).

Art Unit: 2645

3.10 Regarding claim 11, Lund teaches receiving a web page (multimedia content), which inherently including graphical displays and text messages, via the first data session (column 3, lines 46-49).

3.11 Regarding claim 12, Lund teaches that the called party is subscriber (column 3, lines 41-45).

3.12 Regarding claim 13, Lund teaches connecting the calling party with the called party, which inherently bridging the calling party (at SSP 24) and the called party (at SSP 26) by the tandem switches 30 and 32 in figure 2.

3.13 Regarding claim 15, Lund discloses a method for sending a web page (multimedia content) to a calling party, comprising:

selecting a multimedia content (from a URL) associated with a called party to be forwarded to the calling party in response to identifying the calling party (column 3, lines 30-49); and

establishing a voice link from the calling party to the called party in response to the identifying the called party (see claim 6 of Lund).

3.14 Regarding claim 16, Lund teaches that the called party is a service subscriber (column 3, lines 41-45).

Art Unit: 2645

3.15 Regarding claim 17, Lund discloses a method for sending a web page to a calling party, comprising:

receiving an initiation signal from the calling party identifying a called party (column 3, lines 30-40);

transmitting multimedia content (web page) to the calling party, the multimedia content selected (from a URL) in response to the identifying of the called party (column 3, lines 41-49); and

establishing a voice link to the called party in response to the initiation signal from the calling party (see claim 6 of Lund).

3.16 Regarding claim 18, it is inherent that the calling party and the called party are bridged together by the tandem switches 30 and 32 in figure 2 in order to establish a voice link.

3.17 Regarding claim 19, Lund teaches transmitting a URL to the calling party, and establishing a first data session for the transmission of the multimedia content (column 3, lines 41-49).

3.18 Regarding claim 20, Lund teaches that the called party is a service subscriber (column 3, lines 41-45).

Art Unit: 2645

3.19 Regarding claim 21, Lund teaches looking up the called party in a database 44 of service subscribers (column 3, lines 41-45).

3.20 Regarding claim 22, Lund teaches selecting a called party's URL in the database (column 3, lines 41-45).

3.21 Regarding claim 24, Lund discloses a method for sending a web page to a calling party, comprising:

receiving an initiation signal from the calling party identifying a called party (column 3, lines 30-40);

transmitting a uniform resource locator (URL) to the calling party, the URL selected in response to the identifying the called party (column 3, lines 41-45);

transmitting multimedia content (web page) to the calling party in response to URL (column 3, lines 46-49);

establishing a voice link to the called party in response to the initiation signal from the calling party (column 6, claim 6); and

Bridging (inherently by the tandem switches 30 and 32 in figure 2) the calling party and the called party (column 6, claim 6).

4. Claims 1-7, 9-13, 15-22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Morton US 6,480,484.

4.1 Regarding claim 1, Morton discloses a method for sending a greeting web page to a calling party, comprising:

transmitting a uniform resource locator (URL) to the calling party in response to an initiation signal from the calling party (column 5, lines 7-13, 26-37); and

establishing a voice link to a called party in response to the initiation signal from the calling party (column 5, lines 63-65).

4.2 Regarding claim 2, Morton teaches bridging the calling party with the called party to establish a voice link as discussed in claim 1 (it is inherent that the telephone system 100 in figure 1 bridges the calling party and the called party to establish a voice link).

4.3 Regarding claim 3, Morton teaches that the URL identifies a location for a multimedia content (greeting web page containing graphics and text) (column 5, lines 33-37).

4.4 Regarding claim 4, Morton teaches establishing a first data session for downloading the multimedia content (column 5, lines 38-55).

4.5 Regarding claim 5, Morton teaches determining if the called party is subscriber (column 5, lines 26-35).

Art Unit: 2645

4.6 Regarding claim 6, Morton teaches looking up the called party in a database (directory server 304) of service subscribers (column 5, lines 26-35).

4.7 Regarding claim 7, Morton teaches selecting a called party's URL in the database (column 5, lines 26-35).

4.8 Regarding claim 9, Morton discloses a method for sending a greeting web page to a calling party, comprising:

receiving a uniform resource locator (URL) associated with the called party in response to an initiation signal from the calling party (column 5, lines 7-13, 26-35); and
establishing a first data session in response to the received URL (column 5, lines 38-55).

4.9 Regarding claim 10, Morton teaches establishing a second data session for receiving the URL (column 5, lines 35-37).

4.10 Regarding claim 11, Morton teaches receiving a greeting web page (multimedia content), which inherently including graphical displays and text messages, via the first data session (column 5, lines 38-55).

4.11 Regarding claim 12, Morton teaches that the called party is subscriber (column 5, lines 26-35).

4.12 Regarding claim 13, Morton teaches connecting the calling party with the called party, which is inherently bridging the calling party and the called party by the telephone system 100 (figure 1).

4.13 Regarding claim 15, Morton discloses a method for sending a greeting web page (multimedia content) to a calling party, comprising:

selecting a multimedia content (from a URL) associated with a called party to be forwarded to the calling party in response to identifying the calling party (column 5, lines 7-13, 26-55); and

establishing a voice link from the calling party to the called party in response to the identifying the called party (column 5, lines 63-65).

4.14 Regarding claim 16, Morton teaches that the called party is a service subscriber (column 5, lines 26-35).

4.15 Regarding claim 17, Morton discloses a method for sending a greeting web page to a calling party, comprising:

receiving an initiation signal from the calling party identifying a called party (column 5, lines 7-17);

Art Unit: 2645

transmitting multimedia content (greeting web page) to the calling party, the multimedia content selected (from a URL) in response to the identifying of the called party (column 5, lines 26-55); and

establishing a voice link to the called party in response to the initiation signal from the calling party (column 5, lines 63-65).

4.16 Regarding claim 18, it is inherent that the calling party and the called party are bridged together by the telephone system 100 in order to establish a voice link.

4.17 Regarding claim 19, Morton teaches transmitting a URL to the calling party, and establishing a first data session for the transmission of the multimedia content (column 5, lines 26-55).

4.18 Regarding claim 20, Morton teaches that the called party is a service subscriber (column 5, lines 26-35).

4.19 Regarding claim 21, Morton teaches looking up the called party in a database (directory server 304) of service subscribers (column 5, lines 26-35).

4.20 Regarding claim 22, Morton teaches selecting a called party's URL in the database (column 5, lines 26-35).

Art Unit: 2645

4.21 Regarding claim 24, Morton discloses a method for sending a greeting web page to a calling party, comprising:

receiving an initiation signal from the calling party identifying a called party (column 5, lines 7-17);

transmitting a uniform resource locator (URL) to the calling party, the URL selected in response to the identifying the called party (column 5, lines 26-37);

transmitting multimedia content (greeting web page) to the calling party in response to URL (column 5, lines 38-55);

establishing a voice link to the called party in response to the initiation signal from the calling party (column 5, lines 63-65); and

Bridging (inherently by the telephone system 100 in figure 1) the calling party and the called party (column 5, lines 63-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8, 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lund US 6,658,100.

Lund teaches transmitting a URL to the calling party (first data session) for retrieving a web page (second data session) by the calling party, but fails to teach terminating the first and second data session before establishing a voice link between the calling and the called parties.

Since a communication device can only perform either the first or the second data session at a time, so it is inherent that the first data session is terminated prior the establishing of the second data session. If the communication device is only capable for one communication session (either a voice session or a data session) at a time, then it is also inherent that the second data session is terminated in order for the communication device to start a voice session. If the communication device is capable for both a voice session and a data session simultaneously, then it would have been a user's choice to continue the data session while talking on the phone, or to terminate the data session prior establishing a voice session.

Conclusion

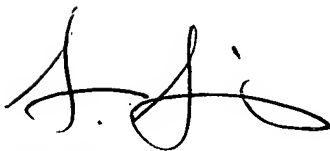
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) US 6,934,369 (Parker) discloses a method for transmitting a URL associated with a called party to a caller during a call setup (column 3, line 11 to column 5, line 14).

Art Unit: 2645

b) US 6,603,840 (Fellingham et al) discloses a method for transmitting a URL associated with a called party to a caller during a call setup (column 3, line 36 to column 4, line 57).

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

11/07/2005



FAN TSANG
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